

David M. Poore, SBN 192541  
KAHN BROWN & POORE LLP  
755 Baywood Drive, Suite 185  
Petaluma, California 94954  
Telephone: (707) 763-7100  
Facsimile: (707) 763-7180  
dpoore@kahnbrownlaw.com

Attorneys for Plaintiff  
MUMTAZ SHEREEN SUHAIL

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MUMTAZ SHEREEN SUHAIL,

Plaintiff,

v.

NAVIGANT INTERNATIONAL, INC.; TQ3  
NAVIGANT; TQ3 TRAVEL SOLUTIONS;  
and DOES 1 through 50, inclusive,

Defendants.

Case No. C 06-03424 MHP

**STIPULATION AND ~~PROPOSED~~  
ORDER CONTINUING THE INITIAL  
CASE MANAGEMENT CONFERENCE**

IT IS HEREBY STIPULATED AND AGREED UPON by the parties and their respective counsel of record that the initial case management conference ("CMC") be continued for approximately 60 days from September 25, 2006, at 4:00 p.m. in Courtroom 15, 18<sup>th</sup> Floor, San Francisco, California, to a date to be set by the Court. The parties agree that the following constitutes good cause to continue the initial CMC:

- A dispute has arisen over which entity is the appropriate defendant in this matter. Defendants contend that the appropriate defendant is "Navigant Southwest LLC." Plaintiff believes that the above-named defendants are proper.
- The parties have engaged in substantial meet and confer efforts over the past 45 days to resolve this dispute without extensive motion practice and unnecessary discovery as to which entity is plaintiff's actual employer. Over the past week, the

1 parties have reached a tentative agreement that would allow the parties to enter  
2 into a stipulation of fact resolving the dispute, including a stipulation for  
3 amendment of the complaint, dismissal without prejudice of the above named  
4 defendants, and a statute of limitations tolling agreement during the pendency of  
5 this litigation. The parties anticipate that the stipulation will be finalized within  
6 the next week.

- 7 • The parties request that the initial CMC be continued for 60 days to finalize this  
8 stipulation to allow the amended defendant Navigant Southwest LLC to file an  
9 answer.
- 10 • The parties are not making this request for the purposes of any delay. Instead, the  
11 parties are making this request to avoid unnecessary motion practice, including  
12 motions to dismiss and/or summary judgment, that would unduly burden the Court  
13 with legal issues that are being resolved by the parties, including unnecessary  
14 attorneys' fees and costs in litigating this dispute.

15 SO STIPULATED.

16  
17 Dated: September 14, 2006

KAHN BROWN & POORE LLP

18  
19 By: \_\_\_\_\_/s/

David M. Poore  
Attorneys for Plaintiff

20  
21 Dated: September 14, 2006

MANATT PHELPS & PHILLIPS LLP

22  
23 By: \_\_\_\_\_/s/

Andrew Satenberg  
Attorneys for Defendants

**[PROPOSED] ORDER**

**IT IS SO ORDERED.** The initial case management conference is continued from September 25, 2006, at 4:00 p.m. in Courtroom 15, 18<sup>th</sup> Floor, San Francisco, California, to November 27, 2006, at 4:00 p.m. in Courtroom 15, 18<sup>th</sup> Floor, San Francisco, California.

Dated: 9/18/2006

